

INTRODUCED BY SENATOR THOMPSON,  
(By request)

JANUARY 29, 1915.

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

## AN ACT

ACT. ENACTING AND REGULATING THE PRACTICE OF CHIROPRACTIC IN THE STATE OF CALIFORNIA; CREATING A STATE BOARD OF CHIROPRACTIC EXAMINERS; PROVIDING FOR THE APPOINTMENT OF THE SAME; DEFINING ITS POWERS, DUTIES AND EMOLUMENTS; TO PROVIDE A STANDARD OF EDUCATION FOR CHIROPRACTORS; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ACT; TO PROVIDE FOR THE EXAMINATION AND LICENSING OF CHIROPRACTORS IN THE STATE OF CALIFORNIA, AND TO REPEAL ANY OR ALL PARTS OF ANY ACT OR ACTS IN CONFLICT WITH THIS ACT.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. A board is hereby created and established to
- 2 be known as the board of chiropractic examiners of the State
- 3 of California. Said board shall be composed of six per-
- 4 sons who are graduates of and hold diplomas issued to them
- 5 by a legally chartered school or college of chiropractic, which
- 6 said school or college shall have had, at the time of the issu-
- 7 ance of said diploma, a residence course of not less than ten
- 8 months, and each of said persons shall present to the governor
- 9 satisfactory evidence of good moral character and integrity,

1 months, and each of said persons shall present to the govern-  
 2 satisfactory evidence of good moral character and integrity  
 3 and shall have been a citizen of and practicing chiropractic  
 4 in the State of California for a period of not less than one  
 5 year next preceding the date of the going into effect of this  
 6 act; *provided, however*, that the requirement of the practice  
 7 of chiropractic in the State of California for a period of not  
 8 less than one year next preceding the going into effect of this  
 9 act shall apply only to those persons who shall be appointed  
 10 to membership on said board, on or before the first Tuesday  
 11 September, 1915. No person who holds a diploma issued  
 12 him by any school or college, which said school or college  
 13 teaches any science or profession which has particularly to do  
 14 with the health of human beings, or who shall practice any  
 15 science or profession, which said science or profession shall  
 16 have particularly to do with the health of human beings other  
 17 than that specified and set forth in this section, shall be eli-  
 18 ble to appointment on said board; and appointments shall  
 19 so made that no more than two persons shall serve simultane-  
 20 ously as members of said board, whose first diplomas were  
 21 issued by the same school or college of chiropractic.

22 SEC. 2. The governor of the State of California shall,  
 23 on or before the first Tuesday in September, 1915, appoint  
 24 chiropractors who shall possess the qualities and qualifications  
 25 as specified and set forth in section one of this act to  
 26 constitute the membership of said state board of chiropractic  
 27 examiners; tenure in office of said members shall be deter-  
 28 mined as to time that two shall serve one year, two shall  
 29 serve two years and two shall serve the full term of four  
 30 years. Annually thereafter, or as there may be vacancies on  
 31 said board, the governor shall appoint members who shall be  
 32 selected from among those licensed under and by virtue of  
 33 this act, and who shall possess the qualities and qualifications  
 34 as specified and set forth in section one of this act. No person  
 35 in any manner owning any interest in any school, college or  
 36 institution engaged in chiropractic instruction shall be ap-  
 37 pointed to said board. The governor shall have the power

1 and upon the presentation of sufficient evidence to substan-  
 2 tiate the charges, shall remove any member of the board for  
 3 neglect of duty, incompetency, continued refusal or failure to  
 4 act in his official capacity on said board, or for unprofessional  
 5 conduct. Each appointee shall, before entering upon the  
 6 duties of his office, take the constitutional oath of office.

7 SEC. 3. Within thirty days after their appointment, and  
 8 annually thereafter, said board of examiners shall convene  
 9 and elect from its members a president, secretary and treas-  
 10 urer. Said board shall meet, for the examination of applicants  
 11 for license to practice chiropractic, on or before the first Tues-  
 12 day in April [of each year, in the city of Los Angeles and on  
 13 or before the first Tuesday in October of each year in the city  
 14 of San Francisco]; *provided, however*, that additional or  
 15 adjourned meetings may, at the discretion of the board, be held  
 16 at any county seat in the state. Notice of each regular or  
 17 special meeting shall be given twice each week for two weeks  
 18 next preceding each such meeting in one daily newspaper  
 19 published in the city of San Francisco, one published in  
 20 the city of Sacramento, one published in the city of Los  
 21 Angeles and one published in the city of San Diego, which  
 22 notices shall specify the time and place of meeting for the  
 23 examination of applicants. The board shall receive, through  
 24 its secretary, applications for license to practice chiropractic  
 25 to be issued as provided in this act; and shall, on or before  
 26 the first day of January of each year transmit to the gov-  
 27 ernor of the State of California, a full report of all its  
 28 proceedings, together with a report of its receipts and dis-  
 29 bursements for the year next preceding such report. The  
 30 board shall, on or before the first day of January of each year,  
 31 compile a complete directory giving the names and addresses  
 32 of all persons who hold unrevoked licenses to practice chiro-  
 33 practic in this state, said licenses having been issued under  
 34 and by virtue of this act. Said directory shall contain in addi-  
 35 tion to the names and addresses of said persons, the name or  
 36 symbol, or name and symbol, or names or symbols, or names  
 37 and symbols indicating the title or degree, or titles or degrees,

1 and the name or names of the school or schools, or college  
2 colleges having conferred such degrees or titles upon each  
3 said persons, and the date of issuance, by the board, of all  
4 licenses. It shall be the duty of any person holding license  
5 under this act, to report immediately each change of address  
6 giving both the old and new address.

7 SEC. 4. The office of the board shall be in the city of San  
8 mento, and in all legal proceedings against the board said city  
9 shall be deemed the residence of the members thereof.

10 SEC. 5. The board shall adopt a seal, which shall be affixed  
11 to all licenses issued by it, and may from time to time adopt  
12 such rules as may be necessary to enable said board to carry  
13 into effect the provisions of this act. It shall require  
14 affirmative vote of three members of said board to carry  
15 motion or resolution, to adopt any rule, to pass any measure  
16 or to authorize the issuance of any certificate provided for  
17 this act. The board shall issue a certificate to any applicant  
18 who shall pass the examination required by the terms of this  
19 act. Any member of the board may administer oaths in any  
20 matter pertaining to the duties of the board, and the board  
21 shall have authority to take evidence in any matter cognate  
22 by it. The board shall keep a record of all its proceedings,  
23 part of which record shall consist of a register of all applications  
24 for license to practice chiropractic, and the action of the  
25 board upon each such application.

26 SEC. 6. The board is authorized to prosecute all persons  
27 guilty of violation of this act, and shall have power to employ  
28 legal counsel for such purposes, and shall employ such assistance  
29 as it may deem necessary. The board shall fix the  
30 salary of the secretary not to exceed the sum of twelve  
31 hundred dollars per annum, and the sum to be paid to other  
32 members of the board not to exceed ten dollars per diem for  
33 each and every day of actual service in the discharge of the  
34 duties of said board, and the board may at its discretion  
35 to said sum actual necessary traveling expenses of members  
36 and from the place of the meeting of the board.

37 SEC. 7. All fees collected on behalf of the state

1 chiropractic examiners of California, and the receipts of all  
2 funds of every kind and nature shall be reported at the  
3 beginning of each month for the month preceding to the state  
4 controller, and at the same time the entire amount of such  
5 collections shall be paid into the treasury of the state and shall  
6 be credited to a fund to be known as the state board of chiro-  
7 practic examiners' contingent fund, which fund is hereby  
8 created. Said contingent fund shall be for the use of the  
9 state board of chiropractic examiners, and out of it shall be  
10 paid all salaries and other expenses necessarily incurred in  
11 carrying into effect the provisions of this act. An amount not  
12 to exceed one thousand dollars may be drawn from the con-  
13 tingent fund herein created, said amount to be used as a  
14 revolving fund where cash advances are necessary. All ex-  
15 penditures from said revolving fund shall be substantiated by  
16 vouchers and itemized statements at the end of each fiscal  
17 year or at any other time when demand therefor is made by  
18 the board of control.

19 SEC. 8. Every applicant for a license to practice chiro-  
20 practic shall pay to the secretary of the board a fee of twenty-  
21 five dollars, which shall be paid to the treasurer of the board  
22 by the secretary thereof. In case the applicant's credentials  
23 are insufficient, or in case he does not take the examination, the  
24 sum of fifteen dollars shall be returned to said applicant.

25 SEC. 9. One form of certificate shall be issued by the board  
26 of chiropractic examiners of the State of California, which  
27 said certificate shall be designated "license to practice chiro-  
28 practic," and shall authorize the holder thereof to practice  
29 chiropractic in the State of California; provided, however,  
30 that said certificate shall not authorize the holder thereof to  
31 administer any drug or drugs, or what are known as medicinal  
32 preparations, to, or in any manner penetrate or sever the  
33 tissues of, human beings, or to practice obstetrics.

34 SEC. 10. Every applicant for license must file with the  
35 board at least two weeks prior to the regular or special meet-  
36 ing thereof, satisfactory evidence of good moral character, and  
37 every applicant must show that he has attended two courses

1 of study, each such course to have been of not less than three  
2 two weeks duration and not less than twelve hundred hours  
3 for each of said courses, or a total time of not less than six  
4 four weeks and twenty-four hundred hours; *provided*, how-  
5 ever, that said courses shall not necessarily have been pursued  
6 continuously or consecutively, but that ten months shall have  
7 intervened between the beginning of any course and the begin-  
8 ning of the preceding course. Every application shall be made  
9 upon a form furnished by the board, which form shall contain  
10 such information concerning the instruction and the preliminary  
11 education of the applicant as this act provides; *provided, however*,  
12 that nothing in this section shall be construed as to apply to applicants  
13 for examination as set forth in section eighteen of this act. In  
14 addition to the requirements hereinbefore provided, on or after the  
15 first day of January, 1919, applicants for license under this act  
16 shall present to said chiropractic examining board a diploma from a  
17 California high school or other school in the State of California,  
18 requiring a full four years' course of same grade, or other school  
19 where requiring and giving a full four years' standard school  
20 course; *provided, however*, if such applicant be twenty years or  
21 more of age, he may show to the satisfaction of the board proof  
22 of preliminary education equivalent in the power to the foregoing  
23 requirements. Every applicant shall make affidavit, stating that each  
24 and every statement made and all entries made upon the application  
25 presented to said board, are correct and true.

26  
27  
28 SEC. 11. Applicants for certificates as issued under this act,  
29 except as hereinafter provided and set forth in section eighteen  
30 of this act, shall file satisfactory evidence of having pursued  
31 in a legally chartered school or college of chiropractic instruction  
32 the course of instruction covered and included at the time of his  
33 attendance in said school or college, the following minimum  
34 requirements, to wit:

35	Group 1—700 hours:	
36	Anatomy -----	600 hours
37	Histology -----	100 hours

1	Group 2—450 hours:	
2	Physiology -----	350 hours
3	Toxicology -----	100 hours
4	Group 3—310 hours:	
5	Pathology -----	240 hours
6	Bacteriology -----	70 hours
7	Group 4—440 hours:	
8	Diagnosis -----	350 hours
9	Hygiene -----	90 hours
10	Group 5—500 hours:	
11	Theory -----	} 500 hours
12	Practice -----	
13	Technic -----	
14		
15	Total -----	2400 hours

16 In the course of study as herein outlined, the hours specified  
17 shall be actual work in the classroom, laboratory, clinic or  
18 hospital, and at least eighty per cent of actual attendance  
19 shall be required; *provided, however*, that the hours herein  
20 required in any one subject need not exceed seventy-five per  
21 cent of the number specified, but that the total number of  
22 hours in all subjects of each group shall not be less than the  
23 total number specified for such group.

24 SEC. 12. Applicants for certificate of license, as provided  
25 for in this act, except as is set forth in section eighteen hereof,  
26 shall pass an examination in the following subjects, to wit:

- 27 1. Anatomy and histology.
- 28 2. Physiology and toxicology.
- 29 3. Pathology and bacteriology.
- 30 4. Diagnosis and hygiene.
- 31 5. Theory, practice and technic.

32 All examinations shall be practical in character and shall be  
33 according to the teachings of chiropractic, and designed to  
34 ascertain the fitness of the applicant to practice chiropractic;  
35 and shall be conducted in the English language, and at least a  
36 portion of the examination in each subject shall be in writing.  
37 There shall be at least ten questions on each subject, the answers



1 to which shall be marked on a scale of zero to ten on each  
2 question. Each applicant shall obtain no less than a general  
3 average of seventy-five per cent, and not less than sixty  
4 per cent on any two subjects; *provided*, that any applicant  
5 shall be granted a credit of one per cent upon the general  
6 average for each year of actual practice since graduation.  
7 The examination papers shall form a part of the records of  
8 the board and shall be kept on file by the secretary for a period  
9 of one year after each examination. In said examination the  
10 applicant shall be known and designated by number only,  
11 said number to be assigned by the secretary of the board, and  
12 the name attached to the number shall be kept secret until  
13 after the board has finally voted upon the application. The  
14 secretary of the board shall in no instance participate as an  
15 examiner in any examination held by the board, nor vote upon  
16 any application for a certificate of license. All questions on all  
17 subjects in which examination is required under this act shall  
18 be provided by the board upon the morning of the day upon  
19 which examinations are given in said subjects; and when  
20 shall be shown that the secretary or any member of the board  
21 has in any manner given information, in advance of or during  
22 examination, to any applicant, it shall be the duty of the  
23 governor to remove such person from the board of examiners  
24 from the office of secretary.

25 SEC. 13. Said board shall revoke the certificate of license  
26 issued under this act to any person guilty of unprofessional  
27 conduct. Said board shall adopt rules of practice and pro-  
28 cedure pursuant to and under and by virtue of the laws of the  
29 State of California, by which any person charged with un-  
30 professional conduct may be tried. In every instance when  
31 a person is charged with unprofessional conduct, such person  
32 before suspension or revocation of his license, shall be cited  
33 to appear and be given an opportunity to defend himself, to  
34 counsel or otherwise in said trial by said board. In the event  
35 the certificate of license of any person is revoked or suspended,  
36 the secretary shall enter upon the register the fact of such  
37 suspension or revocation, under the seal of the board,

1 county clerk of the county or counties in which the certificate  
2 of the person whose certificate has been revoked is recorded at  
3 the time of such revocation. The words "unprofessional con-  
4 duct," as used in this act, are hereby declared to mean:

5 *First*—The procuring or aiding or abetting in the procuring  
6 of a criminal abortion.

7 *Second*—The wilfully betraying of a professional secret.

8 *Third*—All advertising which is intended to or has a ten-  
9 dency to deceive the public or impose upon credulous or igno-  
10 rant persons and so be harmful or injurious to the public  
11 morals or safety, or the advertising of a chiropractor that he  
12 is practicing medicine, surgery, osteopathy or any other system  
13 of mode of treating the sick or afflicted in the State of Califor-  
14 nia, for which he does not at the time of so doing hold an unre-  
15 voked certificate of license to practice such system or method  
16 issued to him by a board, which said board has been legally  
17 constituted and established by law in the State of California.

18 *Fourth*—All advertising of any means whereby the monthly  
19 periods of women can be regulated or the menses reestablished  
20 if suppressed.

21 *Fifth*—Conviction of any offense involving moral turpitude,  
22 in which case the record of such conviction shall be prima facie  
23 evidence.

24 *Sixth*—Habitual intemperance.

25 *Seventh*—The personation of another licensed chiropractor.

26 *Eighth*—The use, by the holder of a license issued under this  
27 act, in any sign or advertisement in connection with his prac-  
28 tice, of any fictitious name.

29 *Ninth*—The use by a holder of a license to practice chiro-  
30 practic of any drug or what is known as a medicinal prepara-  
31 tion in or upon the body of human beings, or the puncturing or  
32 severing of the tissues of the body or bodies of human beings.

33 *Tenth*—Advertising, directly, indirectly or in substance,  
34 upon any card, sign, newspaper advertisement, or other written  
35 or printed sign or advertisement, that the holder of such cer-  
36 tificate or any other person, company, or association by which  
37 he is employed, or in whose service he is, will treat, cure, or

1 attempt to treat or cure any venereal disease, or will treat  
2 cure, or attempt to treat or cure any person afflicted with  
3 any venereal disease, lost manhood, sexual weakness; or being  
4 employed by, or being in the service of any person, company  
5 or association so advertising.

6 *Eleventh*—The use by the holder of a license to practice  
7 chiropractic, of the prefix Dr. or the letters M. D. or the word  
8 "doctor of medicine" or the term "physician and surgeon"  
9 or the term "surgeon" or the term "physician," or the term  
10 "doctor" or the word "osteopath," or the letters "D.O.,"  
11 any other letters, prefixes or suffixes the use of which would  
12 indicate that he was practicing a profession for which he has  
13 no license from the State of California.

14 *Twelfth*—The procuring of a certificate, as issued under  
15 act, by fraud or misrepresentation.

16 **SEC. 14.** Every person holding a certificate of license author-  
17 izing him to practice chiropractic as set forth in this act shall  
18 file said certificate of license for record in the office of county  
19 clerk of the county or counties in which the holder thereof  
20 shall practice, and the fact of such recordation shall be re-  
21 corded on said certificate by the clerk of the county or counties  
22 in which said certificate of license is recorded. Any person  
23 who shall practice chiropractic in any county within the State  
24 of California without first having filed his certificate with the  
25 county clerk or clerks of the county or counties in which he  
26 person shall practice as provided herein shall be guilty of a  
27 misdemeanor and shall be punished by a fine of not more than  
28 one hundred dollars, or by imprisonment of not more than  
29 sixty days or by both such fine and imprisonment.

30 **SEC. 15.** The clerk of the several counties shall keep a  
31 book provided for the purpose a complete list of all certificates  
32 of license as provided in this act, and the dates of filing of  
33 certificates, and said record shall be open to the public for  
34 inspection during office hours.

35 **SEC. 16.** Any person who shall practice, or attempt to  
36 practice, or who shall advertise or hold himself out as practicing  
37 chiropractic in the State of California without having

1 time of so doing a valid and unrevoked certificate as provided  
2 in this act, or who shall in any sign or advertisement use the  
3 letters "D.C.," or the words "doctor of chiropractic," or the  
4 term "chiropractor," or any other letter or letters, or word  
5 or words, or letters and words, or combination of letters or  
6 words indicating thereby that he is practicing, or entitled to  
7 practice chiropractic in the State of California, without having  
8 at the time of so doing a valid and unrevoked certificate as  
9 provided in this act, shall be guilty of a misdemeanor and upon  
10 conviction thereof shall be punished by a fine of not more than  
11 five hundred (\$500.00) dollars, or by imprisonment in the  
12 county jail for a term of not more than one hundred and  
13 eighty (180) days, or by both such fine and imprisonment.  
14 Upon conviction of a person for violation of this act, the fine,  
15 when collected, shall be paid to the state treasurer and a report  
16 thereof made to the state controller.

17 **SEC. 17.** Nothing in this act shall be construed to prohibit  
18 services in case of emergency, or the domestic administration  
19 of chiropractic, nor shall this act apply to any chiropractor  
20 from any other state or territory who is actually consulting  
21 with a licensed chiropractor in this state; *provided*, that such  
22 consulting chiropractor shall not open an office or appoint a  
23 place to receive patients within the limits of this state.

24 **SEC. 18.** Any person of good moral character, who holds a  
25 diploma issued to him by a legally chartered school or college  
26 of chiropractic, and who shall have resided within the State of  
27 California for a period of not less than one year next preced-  
28 ing the date of the first meeting of the board of chiropractic  
29 examiners of the State of California, and who shall make appli-  
30 cation to said board within six months after the going into  
31 effect of this act shall be given an oral, practical and clinical  
32 examination, a part of which shall be demonstration in the art  
33 of chiropractic adjusting; *provided, however*, that any person  
34 of good moral character who shall have matriculated in any  
35 school or college of chiropractic prior to the date of the pas-  
36 sage and approval of this act, and who shall not graduate until  
37 after the date of the going into effect of this act, shall upon

1 application as set forth herein be examined according to the  
2 provisions of this section. If such applicant fail to pass said  
3 oral, practical and clinical examination, or demonstration in  
4 the art of chiropractic adjusting, and so desires, he may be  
5 reexamined without additional expense at the first subsequent  
6 meeting of the board, said reexamination or as much as possible  
7 thereof, to be in writing. Any person of good moral character,  
8 actor, who has represented himself to be, and has been actually  
9 engaged in the practice of chiropractic in the State of California  
10 for a period of not less than three years next preceding  
11 the date of the going into effect of this act, shall be entitled to  
12 and may take the examination as set forth in this section  
13 *provided, however*, that he make application to the board for  
14 examination within six months after the date of the going into  
15 effect of this act, and in making such application shall have  
16 set forth therein and given the following information, to wit:  
17 The full name and address of the applicant, the length of time  
18 and where he has been engaged in the practice of chiropractic  
19 in this state, in what manner and from whom he received  
20 instruction and training in chiropractic, and the nature and  
21 character of any or all of the methods used by said applicant  
22 in relation to the health of human beings.

23 SEC. 19. Any person who holds an unrevoked certificate  
24 practice chiropractic, which said certificate was issued to  
25 person by a chiropractic examining board, or by any other  
26 board or officer authorized by law to issue a license entitled  
27 the holder thereof to practice chiropractic in the District of  
28 Columbia, or in any state or territory of the United States  
29 with proof satisfactory to the board of chiropractic examiners  
30 of the State of California that the copy of said certificate  
31 presented to said board is a true and correct copy, shall upon  
32 presentation of said certificate or a copy thereof, to the board  
33 of chiropractic examiners of the State of California be entitled  
34 to and shall receive a certificate of license to practice  
35 practice in the State of California without examination  
36 *provided, however*, that the requirements of the said chiropractic  
37 examining board, or other board or officer of the state

1 issued said certificate were in no degree or particular less than  
2 those which were required for the issuance of a license to  
3 practice chiropractic in the State of California at the time of  
4 the issuance of such certificate.

5 SEC. 20. Any or all parts of any act or acts in conflict with  
6 this act are hereby repealed.